

REMARKS

This amendment is submitted to continue the prosecution of the present application to its successful conclusion.

While it is believed all of the independent claims are patentably distinct over the prior art references relied upon by the Examiner, these claims are amended simply to clarify the one-frame temporary store recited in, for example, claim 1. This amendment is made to avoid the continued attempt to interpret the memory store recited in all of Applicant's claims as being a display device or a VCR. Claim 1, as well as all of the claims in this application, point out that the memory store is located at the receiving apparatus, as opposed to the transmitting apparatus. The result achieved by Applicant's claimed invention is efficient communication between a transmit/playback device and a reception device during a "pause" operation in the playback device because, contrary to the prior art cited during the prosecution of this application, data need not be transmitted to the reception device. In the prior art, during a "pause" operation, the very same image data (e.g. the very same frame) must be repetitively scanned by the playback device and transmitted to the reception device. Consequently, in this prior art, the communication channel linking the transmit/playback device and the reception device is occupied by the data that is repetitively scanned and transmitted. In Applicant's claimed invention, during the "pause" operation, no data is transmitted over the communication channel. Hence, the communication channel can be used for other data. See, for example, Applicant's corresponding published application paragraphs [0028]-[0030], [0054]-0057] and [0126].

It is respectfully submitted, neither Lownes nor Nishimura nor Sugiyama nor Gerszberg nor Applicant's described related art¹ describes Applicant's claimed memory located at the

¹ Applicant's representative again points out that the description of "related art" in the present application is not an admission of prior art and, therefore, this description of "related art" does not qualify as prior art to be asserted against Applicant's claims. Should the Examiner continue to believe that prior art exists in the form of printed

reception apparatus to achieve efficient communication. It follows logically, if none of these references describes an important element recited in Applicant's claims, the combination of those references does not create the missing element.

Applicant's representative points to at least the following claim recitations that are not found in any of the references applied by the Examiner:

said reception apparatus having a temporary store to temporarily store one frame of the successive frames of the played back image data transmitted thereto, the stored frame being replaced by a following frame of the successive frames that are received; and

a control section for updating the frame stored in said temporary store with new successive frames that are received by said reception apparatus, ... wherein the temporary store stores only one frame of the successive frames while playback of the image data is temporarily stopped and no longer is updated with new frames and the image data of the one frame last stored in said temporary store is repetitively read out while said playback and transmission sections are stopped,

None of the cited references describes or even remotely suggests a temporary store at the receiver to store only one frame of successive played back frames, and not update with new frames, when playback is temporarily stopped. It is respectfully submitted, neither Applicant's description of background, nor Lownes nor Nishimura nor Sugiyama nor Gerszberg, can be logically interpreted to support the argument that a display stores only one frame when playback of images to that display is stopped (see the argument in the first full paragraph at page 3 and the paragraph bridging pages 5 and 6 of the Office Action under reply); or that a VCR or video disc player stores only one frame when playback of images to that VCR or video disc player is stopped (*id*)². To interpret the prior art in a manner that is inconsistent with the clear description

material, or in the form of knowledge that existed in this country, consistent with the prior art defined by 35 USC 102, that corresponds to Applicant's "related art," it is respectfully requested that citation to such qualifying prior art be made.

² The cited prior art describes the playback of images from the VCR or video disc player, not to the VCR or player as would be required when attempting to construe the prior art to correspond to applicant's claims.

found therein, or in a manner that contradicts the understanding of those of ordinary skill in the art, is improper and must be avoided.


Therefore, it is respectfully submitted that Applicant's claims are patentably distinct over the prior art relied upon by the Examiner, at least for this reason.

Accordingly, the withdrawal of the rejections of claims 1-33 is respectfully requested.

Please charge any additional fees that may be occasioned by this paper to our Deposit Account 50-0320.

Respectfully submitted,

FROMMER, LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
William S. Frommer
Registration No. 25,506
(212) 588-0800